

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON AUGUST 23, 2011, WITH THE FOLLOWING MEMBERS PRESENT: EDWIN H. HUMPHREY, PRESIDENT AND ARCHIE WILSON, MEMBER. LET THE RECORD SHOW THAT COMMISSIONER PROUD JOINED SESSION SHORTLY THEREAFTER. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 10:00 A.M. BY THE PRESIDENT OF THE BOARD WITH THE PLEDGE OF ALLEGIANCE TO OUR FLAG.

LET THE RECORD SHOW THAT THE AUGUST 23, 2011 REGULAR SESSION WAS VIDEOTAPED AND IS AVAILABLE FOR PUBLIC INSPECTION MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. TO 4:30 P.M. LOCAL TIME. IN ADDITION, THE REGULAR SESSION IS AVAILABLE FOR PUBLIC VIEWING THROUGH THE COUNTY GOVERNMENT WEBSITE AT <http://www.clermontcountyohio.gov/videos-bcc.aspx>.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 128-11/PAYMENT OF BILLS...ADOPTED

Moved by Mr. Wilson, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation that the Board of County Commissioners adopt **Resolution Number 128-11** resolving to approve payment to vendors **in the revised total amount of \$1,064,658.09** as set forth in the BCC Approval Invoice Report For Checks Dated **August 24, 2011**, Vendor Invoice List Report(s), Items paid by Fund and Check Date Range Report and/or Procurement Card Transaction Report presented by the County Auditor **08/22/2011**, and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Wilson, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...PURCHASE OF SERVICE AGREEMENT WITH MARYHAVEN, INC. FOR THE PROVISION OF RESIDENTIAL TREATMENT SERVICES FOR SAME...11-0812-003...EXECUTED

Moved by Mr. Wilson, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Michael R. Pride, Director, Department of Job and Family Services, with the concurrence of David L. Spinney, County Administrator, to execute a Purchase of Service Agreement by and between the County of Clermont, Ohio, and Maryhaven, Inc., 1791 Alum Creek Drive, Columbus, Ohio 43207 for the provision of residential treatment services for children in the care and/or custody of the Department of Job and Family Services and/or Clermont County Juvenile Court, at the rate of \$118.00 per day for adolescent residential treatment and \$168.00 per day for emergency shelter residential treatment, effective 07/01/11 through 06/30/12, pursuant to and in compliance with the terms and conditions specified therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Wilson, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...
CHANGE ORDER NUMBER 1 TO THE GENERAL CONTRACT WITH
CALDWELL TANKS, INC. FOR PROJECT NUMBER 6401-60036 (FKA
621-0975) RELATIVE TO THE WILLIAMS CORNER AREA WATER
TANK PROJECT LOCATED WITHIN GOSHEN TOWNSHIP...07-1226-
009...EXECUTED**

Moved by Mr. Wilson, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Chris Rowland, Project Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Water Resources Department, to authorize Edwin H. Humphrey, President of the Board of County Commissioners, or in his absence, any other member of the Board of County Commissioners, to execute Change Order Number 1 to the General Contract (Contract Number 6401-600361, fka 621-09751) with Caldwell Tanks, Inc., 4000 Tower Road, Louisville, Kentucky 40219, previously ratified by the Board of County Commissioners on 03/26/08, for Project Number 6401-60036 (fka 621-0975) relative to the Williams Corner Area Water Tank Project located within Goshen Township, which represents a decrease in the amount of \$155,203.00, for a total adjusted contract price to date of \$3,569,797.00 and an extension of time of 274 calendar days for a revised contract completion date of 09/01/10 for additions, deletions and/or modifications thereto as defined therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Wilson, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...
CHANGE ORDER NUMBER 1 TO THE CONTRACT WITH GM
PIPELINE, INC. FOR PROJECT NUMBER 6401-60023 (FKA 621-0035)
RELATIVE TO THE BOB MCEWEN (BMW) RAW WATER MAIN
PROJECT LOCATED WITHIN BATAVIA TOWNSHIP...10-0818-
004...EXECUTED**

Moved by Mr. Wilson, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Chris Rowland, Project Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Water Resources Department, to authorize Edwin H. Humphrey, President of the Board of County Commissioners, or in his absence, any other member of the Board of County Commissioners, to execute Change Order Number 1 to the Contract with GM Pipeline, Inc., 6633 Lake Drive, West Chester, Ohio 45069, previously ratified by the Board of County Commissioners on 11/03/10, for Project Number 6401-60023 (fka 621-0035) relative to the Bob McEwen (BMW) Raw Water Main Project located within Batavia Township, which represents a decrease in the amount of \$49,424.24, for a total adjusted contract price to date of \$480,155.26 and an extension of time of 60 calendar days for a revised contract completion date of 07/01/11 for additions, deletions and/or modifications thereto as defined therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Wilson, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...
AWARD OF BIDS FOR THE FURNISHING AND DELIVERY OF
CHEMICALS FOR THE COUNTY WATERWORKS SYSTEM AND
EXECUTION OF CONTRACTS RELATIVE THERETO...11-0524-003, 11-
0815-001, 11-0815-002 AND 11-0816-001...RATIFIED**

Moved by Mr. Wilson, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Mark K. Day, Assistant Director of Operations, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Water Resources Department, to award the bids for the Furnishing and Delivery of Chemicals for the County Waterworks System, pursuant to the specifications to JCI Jones Chemicals, Inc., 600 Bethel Avenue, Beech Grove, Indiana 46107-1356 for Item #2/Chlorine in the amount of \$26,780.00, Univar USA, Inc., 4600 Dues Drive, Cincinnati, Ohio 45246 for Item #3/Hydrofluosilicic Acid in the amount of \$62,490.00 and Item #4/Caustic Soda in the amount of \$268,610.50 and Marubeni Specialty Chemicals, Inc., 8675 Hidden River Parkway, Tampa, Florida 33637 for Item #5/Potassium Permanganate (Revised Bid "B") in the amount of \$64,020.00, for a total estimated cost of \$421,900.50, for the lowest and best bids received therefore on 6/30/2011 and to execute the Contracts relative thereto, pursuant to and in compliance with the terms and conditions set forth therein and the award of bids therefore and further to reject all bids heretofore received for Item #1/Aluminum Sulfate due to non-compliance with the terms and conditions of public bidding as set forth in Sections 307.86 to 307.92 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Wilson, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

IN RE: DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT...AWARD OF BID FOR PROJECT NUMBER 2010-06 RELATIVE TO THE JACKSON TOWNSHIP "MARATHON PARK SHELTER AND DRINKING FOUNTAIN" PROJECT IN CONCERT WITH THE CLERMONT COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FORMULA PROGRAM FOR FISCAL YEAR 2010 AND EXECUTION OF CONTRACT RELATIVE THERETO...11-0603-001...RATIFIED

Moved by Mr. Wilson, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Andrew T. Kuchta, Director, Department of Community and Economic Development, with the concurrence of David L. Spinney, County Administrator, to award the bid for Project Number 2010-06 relative to the Jackson Township "Marathon Park Shelter and Drinking Fountain" Project in concert with the Clermont County Community Development Block Grant (CDBG) Formula Program for Fiscal Year 2010, pursuant to the plans and specifications, to Walnut Grove Construction, Inc., 3627 Hanley Road, Cincinnati, Ohio 45247 for the lowest and best bid received on 07/07/11 in the mathematically correct amount of \$55,235.12, which includes the base bid and the add alternate bid identified as Item No. 1c/Wood Deck & Shingle Roof and appurtenances in lieu of standard metal roof, with said services to commence upon issuance of a written Notice to Proceed from the Department of Community and Economic Development and to be completed within one hundred twenty (120) consecutive calendar days thereof, pursuant to and in compliance with the terms and conditions specified therein and the award of bid therefore.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Wilson, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

IN RE: DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT...ENTERPRISE ZONE AGREEMENT BY AND BETWEEN THE BOARD OF TRUSTEES OF MIAMI TOWNSHIP, CLERMONT COUNTY, OHIO, THE BOARD OF COMMISSIONERS OF

**CLERMONT COUNTY, OHIO, CONSOLIDATED NEURO SUPPLY, INC.
AND GDL HOLDINGS, LLC FOR THE EXEMPTION OF REAL
PROPERTY TAXES WITHIN THE GEOGRAPHICAL BOUNDARIES OF
THE ENTERPRISE ZONE IN THE COUNTY OF CLERMONT,
OHIO...11-0815-003...EXECUTED**

Moved by Mr. Wilson, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Andrew T. Kuchta, Director, Department of Community and Economic Development, with the concurrence of David L. Spinney, County Administrator, to execute an Enterprise Zone Agreement by and between the Board of Trustees of Miami Township, Clermont County, Ohio, the Board of Commissioners of Clermont County, Ohio, Consolidated Neuro Supply, Inc., an Ohio Corporation with its main offices located at 467 Wards Corner Road, Building H, Loveland, Ohio 45140, and GDL Holdings, LLC, an Ohio Limited Liability Company with its main offices located at 6682 Waters Edge, Loveland, Ohio 45140, for the granting of a sixty percent (60%) tax exemption for seven (7) years on real property improvements made as part of the PROJECT, as identified in the referenced Agreement, said exemptions commencing no later than December 31, 2014 and not extending beyond December 31, 2020, pursuant to Section 5709.61 through 5709.69 inclusive of the Ohio Revised Code and in compliance with the terms and conditions set forth therein in consideration of the investment to be made by Consolidated Neuro Supply, Inc. and GDL Holdings, LLC for the expansion and retention of economic development, as well as, the preservation and creation of employment opportunities within the designated boundaries of the Rural Jobs and Enterprise Zone in the County of Clermont, Ohio, and to direct the Clerk of the Board to forward the aforementioned Agreement by and between the Board of Trustees of Miami Township, Clermont County, Ohio, the Board of Commissioners of Clermont County, Ohio, Consolidated Neuro Supply, Inc. and GDL Holdings, LLC to the Ohio Department of Development, the Ohio Department of Taxation, and the Clermont County Auditor.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Wilson, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

**IN RE: CLERMONT TRANSPORTATION CONNECTION/FLEET
MAINTENANCE DIVISION...RESOLUTION DETERMINING
PERSONAL PROPERTY IS UNNEEDED, OBSOLETE OR UNFIT AND
NO LONGER NECESSARY FOR COUNTY USE AND TO APPROVE
THE POSTING AND SALE OF SAME BY INTERNET AUCTION WITH
GOVDEALS, INC...11-0808-002...APPROVED**

Moved by Mr. Wilson, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Ben Capelle, Director, Clermont Transportation Connection/Fleet Maintenance Division, with the concurrence of David L. Spinney, County Administrator, resolving to determine that certain personal property is unneeded, obsolete or unfit and no longer necessary for county use as described in Exhibit "A", and to authorize David L. Spinney to approve the posting and sale of the afore stated property by internet auction with GovDeals, Inc., 5907 Carmichael Place, Montgomery, Alabama 36117, in concert with the Agreement ratified by the Board of County Commissioners on 04/08/09 relative thereto, pursuant to and in compliance with Section 307.12(E) of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Wilson, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

**IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY/
DIVISION OF PUBLIC SAFETY SERVICES...REQUEST TO
ADVERTISE FOR BIDS FOR STRATUS COMPUTER AIDED DISPATCH
SERVERS, INSTALLATION AND SUPPORT FOR SAME...11-0819-
003...APPROVED**

Moved by Mr. Wilson, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Stephen H. Rabolt, Director, Office of Technology, Communications and Security/Division of Public Safety Services, with the concurrence of David L. Spinney, County Administrator, to approve the request to advertise for bids for two (2) Stratus Computer Aided Dispatch Servers, Installation, and Support for the Department of Public Safety Services, pursuant to the specifications therefore, and to authorize the Clerk of the Board to place a Legal Notice in a newspaper of general circulation on Thursday, 09/01/11, with bids to be received until **2:00 P.M. Local Time on Thursday, 09/15/11** in the Office of the Board of County Commissioners, 101 East Main Street, Batavia, Ohio 45103-2960 where they will be publicly opened and read aloud shortly thereafter. This notice is also posted on Clermont County's internet site.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Wilson, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

**IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY/
THE TELECOMMUNICATIONS DIVISION...AWARD OF BID AND
EXECUTION OF CONTRACT FOR AN INMATE PHONE SYSTEM FOR
THE CLERMONT COUNTY JAIL...11-0519-002...RATIFIED**

Moved by Mr. Wilson, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Chris J. Willis, Chief Deputy County Sheriff, with the concurrence of Stephen H. Rabolt, Director, Office of Technology, Communications and Security/The Telecommunications Division, and David L. Spinney, County Administrator, to award the bid for an Inmate Phone System for the Clermont County Jail, pursuant to the specifications, to Combined Public Communications, Inc., P.O. Box 76573, Highland Heights, Kentucky 41076 (100 Aqua Drive, Cold Spring, Kentucky 41076), for the best bid received therefore on 06/30/11, in the amount of 80% of gross collected revenue for years 1-3, 58.34% commission on pre-paid cards, 55% commission on direct pay/debit cards and jail mail/voice mail and 50% commission on coin phones and to execute the Contract for Inmate Phone Service, effective upon execution for a term of three years thereafter, with an option to extend the referenced contract for an additional three (3) years, pursuant to the terms and conditions set forth therein and in compliance with the award of bid relative thereto.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Wilson, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

**IN RE: COUNTY ENGINEER...REQUEST FOR A TEMPORARY DETOUR TO
THROUGH TRAFFIC ON LUCY RUN CEMETERY ROAD IN BATAVIA
TOWNSHIP...11-0819-001...APPROVED**

Moved by Mr. Wilson, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

P. O. Box 36305 Cincinnati, Ohio 45246		
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Upon roll call on the foregoing motion, the vote was as follows:

Mr. Wilson, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

IN RE: COUNTY ENGINEER...WETHERBY FARMS SUBDIVISION/SECTION 6A/UNION TOWNSHIP...RELEASE OF A COMBINED PERFORMANCE - MAINTENANCE BOND AND ACCEPTANCE OF STREETS INTO THE UNION TOWNSHIP PUBLIC ROAD SYSTEM...07-0928-007...APPROVED

Moved by Mr. Wilson, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to authorize the release of a Combined Performance-Maintenance Bond, previously converted to the Maintenance Bond Phase, for the following subdivision within Union Township, and to accept the streets in the lengths stated situated therein as public roads for placement into the Union Township Public Road System:

Subdivision	Maintenance Bond	Streets/Length (miles)
Wetherby Farms Subdivision Section 6A Union Township	\$13,000.00	West Anson Drive (0.18) North Genson Loop (0.16) Ellery Drive (0.05) North Yorkshire Square (0.09)

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Wilson, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

IN RE: COUNTY ENGINEER...WETHERBY FARMS SUBDIVISION/SECTION 6B/UNION TOWNSHIP...RESOLUTION NUMBER 130-11/ RESOLUTION AUTHORIZING THE CONVERSION OF A COMBINED PERFORMANCE-MAINTENANCE BOND FOR SAME...09-0716-003...ADOPTED

Moved by Mr. Wilson, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to adopt **Resolution Number 130-11** resolving to convert the Combined Performance-Maintenance Bond in the amounts listed below, for the construction of streets in the stated lengths within the following subdivision located in Union Township, from the performance bond phase to the maintenance bond phase effective as of the date of conversion thereof:

Subdivision	Performance-Maintenance Bond	Street/Length (miles)
Wetherby Farms Subdivision Section 6B Union Township Resolution Number 130-11	\$26,000.00/\$10,000.00	South Gensen Loop (0.14) South Yorkshire Square (0.07)

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Wilson, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

LET THE RECORD SHOW: COMMISSIONER PROUD JOINED REGULAR SESSION AT THIS TIME.

**IN RE: COUNTY ENGINEER...THE RESERVES OF GREYCLIFF
SUBDIVISION/SECTION ONE/MIAMI TOWNSHIP...RESOLUTION
NUMBER 131-11/RESOLUTION AUTHORIZING THE CONVERSION
OF A COMBINED PERFORMANCE-MAINTENANCE BOND FOR
SAME...07-0223-003...ADOPTED**

Moved by Mr. Proud, seconded by Mr. Wilson, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to adopt **Resolution Number 131-11** resolving to convert the Combined Performance-Maintenance Bond in the amounts listed below, for the construction of streets in the stated lengths within the following subdivision located in Miami Township, from the performance bond phase to the maintenance bond phase effective as of the date of conversion thereof:

Subdivision	Performance-Maintenance Bond	Street/Length (miles)
The Reserves of Greycliff Subdivision Section One Miami Township Resolution Number 131-11	\$74,000.00/\$15,000.00	Stone Court (0.04) Duckhorn Court (0.04) McCormick Trail (0.22) Sophia Drive (0.16) Falling Wood Court (0.15)

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Wilson, Yes; Mr. Humphrey, Aye.

**IN RE: COUNTY ENGINEER...TERRACE RIDGE SUBDIVISION/SECTION
TWO/BLOCK A/UNION TOWNSHIP...RELEASE OF COMBINED
PERFORMANCE-MAINTENANCE BOND, PREVIOUSLY CONVERTED
TO THE MAINTENANCE BOND PHASE, AND IN LIEU THEREOF
ACCEPTANCE OF A ONE YEAR MAINTENANCE BOND AS SURETY
FOR SAME...06-0130-004...APPROVED**

Moved by Mr. Proud, seconded by Mr. Wilson, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to authorize the release of the Combined Performance-Maintenance Bond, previously converted from the performance bond phase to the maintenance bond phase, for the following Subdivision located within Union Township, and in lieu thereof, to accept a One Year Maintenance Bond as Surety therefore in the amount as follows:

Subdivision	Release of Combined Performance - Maintenance Bond	Acceptance of Maintenance Bond	Street/Length (miles)
Terrace Ridge Subdivision Section Two, Block A Union Township	\$14,000.00* *Secured by Irrevocable Standby Letter of Credit Number 435 and Amendment Numbers. 1, 2, and 3 issued by The Bank of Kentucky, Post Office Box 17600, Crestview Hills, Kentucky 41017- 0600	\$14,000.00* *Secured by Check Number 341317 drawn on The Bank of Kentucky for Miami View Properties, LLC, 25 Town Center Boulevard, #104, Crestview Hills, Kentucky 41017	Miami View Trails (0.03) Terrace Ridge Drive (0.25)

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Wilson, Yes; Mr. Humphrey, Aye.

IN RE: COUNTY ENGINEER...TERRACE RIDGE SUBDIVISION/SECTION TWO/BLOCK A/UNION TOWNSHIP...RELEASE OF ONE A YEAR PERFORMANCE BOND FOR SIDEWALKS AND IN LIEU THEREOF ACCEPTANCE OF A ONE YEAR PERFORMANCE BOND FOR SIDEWALKS AS SURETY FOR SAME...06-0130-004...APPROVED

Moved by Mr. Wilson, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to authorize the release of a One Year Performance Bond for Sidewalks for the following Subdivision located within Union Township, and in lieu thereof, to accept a One Year Performance Bond for Sidewalks as Surety therefore in the amount as follows:

Subdivision	Release of One Year Performance Bond for Sidewalks	Acceptance of One Year Performance Bond for Sidewalks
Terrace Ridge Subdivision Section Two, Block A Union Township	\$8,180.00* *Secured by Irrevocable Standby Letter of Credit Number 437 and Amendment Numbers 1, 2, and 3 issued by The Bank of Kentucky, Post Office Box 17600, Crestview Hills, Kentucky 41017-0600	\$8,180.00* *Secured by Check Number 341318 drawn on The Bank of Kentucky for Miami View Properties, LLC, 25 Town Center Boulevard, #104, Crestview Hills, Kentucky 41017

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Wilson, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

IN RE: COUNTY ENGINEER...SETTLEMENT AGREEMENT AND RELEASE WITH AMERICAN SOUTHERN INSURANCE COMPANY (ASIC) RELATIVE TO THE FORFEITURE OF BOND NUMBER B98802016006 HERETOFORE PROVIDED AS SURETY FOR THE COMPLETION, CONSTRUCTION, REPAIR AND MAINTENANCE OF THE STREETS SITUATED WITHIN THE WHITE FARM SUBDIVISION/SECTION 3/BLOCK C LOCATED IN MIAMI TOWNSHIP...06-0818-003...EXECUTED

Moved by Mr. Proud, seconded by Mr. Wilson, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to authorize Edwin H. Humphrey, President of the Board of County Commissioners, or in his absence, any other member of the Board of County Commissioners, to execute the Settlement Agreement and Release by and between the County of Clermont, Ohio, and American Southern Insurance Company, 3715 Northside Pkwy NW, Bldg 400, Ste 800, Atlanta, Georgia 30327 relative to the forfeiture of Bond Number B98802016006 heretofore provided as surety for the completion, construction, repair and maintenance of the streets situated within The White Farm Subdivision, Section 3, Block C located in Miami Township, pursuant to and in compliance with the terms and conditions set forth therein and in concert with Resolution Number 33-11 ratified by the Board of County Commissioners on 03/16/11.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Wilson, Yes; Mr. Humphrey, Aye.

IN RE: COUNTY ENGINEER...ACCEPTANCE OF CONTRACT WITH BROSHEAR CONTRACTORS, INC. FOR PROJECT NUMBER BA-03-05 RELATIVE TO THE OLD SR 74 EXTENSION TO COLLEGE DRIVE PROJECT LOCATED IN BATAVIA TOWNSHIP AS COMPLETE AND APPROVAL OF THE ESTIMATE FOR PARTIAL PAYMENT NUMBER 6, FINAL, FOR THE PROGRESS PAYMENT AND RELEASE OF RETAINAGE RELATIVE THERETO...10-0308-004...RATIFIED

Moved by Mr. Wilson, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David E. Carter, Assistant Prosecuting Attorney and David L. Spinney, County Administrator, to accept the Contract by and between the County of Clermont, Ohio, and Broshear Contractors, Inc., 2520 Millville-Ross Road, Hamilton, Ohio 45013, for Project Number BA-03-05 relative to the Old SR 74 Extension to College Drive Project located in Batavia Township, as Complete as of 10/08/10 and to approve the Estimate for Partial Payment Number 6, Final, which represents a progress payment in the amount of \$66,836.18 and the release of retainage in the principal amount of \$28,130.48, both being payable in the form of a joint check to Broshear Contractors, Inc., and Barrett Paving Materials, Inc., in exchange for a Release of Lien on Public Funds for Public Works, and to authorize the Clermont County Auditor to issue the referenced progress and retainage payments subsequent thereto.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Wilson, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

IN RE: COUNTY SHERIFF...CONTRACT FOR LAW ENFORCEMENT SERVICES WITH THE BOARD OF WILLIAMSBURG TOWNSHIP TRUSTEES FOR SAME...11-0811-004...EXECUTED

Moved by Mr. Proud, seconded by Mr. Wilson, that the Board of County Commissioners approve the following recommendation:

Recommendation of Albert J. Rodenberg, Jr., County Sheriff, with the concurrence of David L. Spinney, County Administrator, to execute a Contract for Law Enforcement Services by and between the Board of Clermont County Commissioners, the County Sheriff, and the Board of Williamsburg Township Trustees, 4025 Alexander Lane, Batavia, Ohio 45103 for the provision of one (1) contract deputy for Williamsburg Township at the annual amounts of \$38,542.64 for the first year, \$39,970.60 for the second year and \$42,516.85 for the third year, one (1) vehicle for an annual amount of \$5,525.00, plus fifty percent (50%) of the fuel costs relative thereto, one MDC Lap Top Air Card for an annual amount of \$269.94 and uniform/equipment replacement and dry cleaning for an annual amount of \$387.50, effective for a period of three (3) years commencing 08/27/11, pursuant to the terms and conditions set forth therein and in compliance with Section 311.29 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Wilson, Yes; Mr. Humphrey, Aye.

IN RE: COUNTY AUDITOR...SOFTWARE SUBSCRIPTION SERVICE AGREEMENT WITH KVS INFORMATION SYSTEMS, INC. FOR

SAME...11-0811-003...EXECUTED

Moved by Mr. Wilson, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Linda L. Fraley, County Auditor, with the concurrence of David L. Spinney, County Administrator, to authorize Edwin H. Humphrey, President of the Board of County Commissioners, or in his absence, any other member of the Board of County Commissioners, to execute a Software Subscription Service Agreement by and between the County of Clermont, Ohio, and KVS Information Systems, Inc., 821 Maple Road, Williamsville, New York 14221-3299 for software subscription support services as outlined therein, for a total cost not to exceed \$6,280.00, effective 07/01/11 through 06/30/12, pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Wilson, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

IN RE: REQUESTS FROM VARIOUS DEPARTMENTS TO JOIN PROFESSIONAL ORGANIZATIONS AND AUTHORIZATION FOR REIMBURSEMENT OF ROUTINE TRAVEL EXPENSES RELATIVE THERETO...APPROVED

Moved by Mr. Proud, seconded by Mr. Wilson, that the Board of County Commissioners approve the following recommendation:

Requests from various departments to join professional organizations and to authorize payment of the annual dues in the amounts outlined below for membership therein, pursuant to Section 325.21 of the Ohio Revised Code and to authorize reimbursement of **routine travel expenses** associated therewith (*excluding expenses for overnight accommodations, meals for more than one day, registration fees, tuition, and/or transportation by common carrier*) pursuant to the policies and procedures of the Board and in compliance with the Annual Appropriations for Fiscal Year 2011 and any and all amendments subsequent thereto:

Elected Official or Department/Employee	Organization	Annual Dues	Term
Clermont County Court of Common Pleas Judge Jerry McBride DC# 10-1129-006	Potter Stewart American Inn of Court	\$285.00	09/20/11 through 05/15/12

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Wilson, Yes; Mr. Humphrey, Aye.

IN RE: BOARD OF COUNTY COMMISSIONERS...FINANCIAL/BUDGETARY ACTIONS FOR FISCAL YEAR 2011...APPROVED

Moved by Mr. Wilson, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of the Office of Management and Budget, with the concurrence of David L. Spinney, County Administrator, to approve financial/budgetary actions pursuant to Ohio Revised Code Section 5705.40 as they relate to changes in the Annual Appropriation Resolution for Fiscal Year 2011 (Resolution Number 209-10) and/or interfund transactions as outlined in the following table(s) and to authorize Linda Fraley, County Auditor, to properly record same:

SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2011:

AMOUNT	FUND NAME & CODE ORGANIZATION DESCRIPTION	FUNCTION -DIVISION- ORG CODE	OBJECT CODE	OBJECT DESCRIPTION	PROJECT CODE (optional)
\$ 9,274.95	Emergency Management Agency Fund 2541	04-01- 112000	530000	Purchased Services	

BUDGET TRANSFER OF FUNDS:

AMOUNT	FUND NAME & CODE ORGANIZATION DESCRIPTION	FROM FUNCTION- DIVISION-ORG-OBJECT OBJECT DESCRIPTION	TO FUNCTION-DIVISION-ORG- OBJECT (optional ORG DESC.) OBJECT DESCRIPTION
\$ 1,200.00	General Fund 1000 Veterans Services	06-21-491000-530000 Purchased Services	06-21-491000-512100 Overtime
\$ 28,456.00	General Fund 1000 Prosecuting Attorney	02-01-033328 -700000 Transfers Advances and Reimbursements	01-04-375000-511200 Regular Salary
\$ 4,140.00	General Fund 1000 Prosecuting Attorney	02-01-033328 -700000 Transfers Advances and Reimbursements	01-04-375000-520000 Fringe Benefits

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Wilson, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

IN RE: TRAINING AND TRAVEL REQUESTS...REIMBURSEMENT OF
EXPENSES RELATIVE TO SAME...APPROVED

Moved by Mr. Proud, seconded by Mr. Wilson, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, to approve the following requests for reimbursement of expenses for training and travel pursuant to the policies and procedures of the Board and in compliance with the Annual Appropriations for Fiscal Year 2011 and any and all amendments subsequent thereto:

PROSECUTING ATTORNEY

Jennifer Carey and Lisa Vetter: One (1) day – Cincinnati, Ohio – Ohio Attorney General’s Video Conference entitled “Ohio Victim of Crime Compensation Fund Program Training & Update” – Total expenses for mileage (\$27.75) and parking (\$20.00) estimated not to exceed \$47.75.

COUNTY SHERIFF

Doug Flamm: One (1) day – Columbus, Ohio – Ohio Peace Officer Training Academy Course entitled “Sexting 101 Training” – Total expenses not to exceed \$0.00.

COUNTY ENGINEER

Jon Carpenter, Alex Cunningham, Shane Garr, Eric Ely and Kevin Rudd: One (1) day – Chillicothe, Ohio – Ohio LTAP (Local Technical Assistance Program) Workshop entitled “Culvert Inventory & Inspection 2011” – Total expenses for registration (5 X \$35.00) and meals (5 X \$25.00) estimated not to exceed \$300.00.

BUILDING INSPECTION DEPARTMENT

J.C. Young, Gary Pitzer, Steve Rivera and Derek Spurling: One (1) day – Sharonville, Ohio – Southwestern Ohio Building Officials Association Seminar entitled “Structural Wood to Wood Fasteners” & “BBS Complaints and Investigations” – Total expenses for registration (4 X \$25.00) estimated not to exceed \$100.00.

CLERMONT COUNTY WATER RESOURCES DEPARTMENT

Thomas C. Yeager: Four (4) days – Cincinnati, Ohio – Ohio Section American Water Works

Association 2011 Annual Conference – Total expenses for registration (\$240.00) and other (\$45.00) estimated not to exceed \$285.00.

Thomas C. Yeager: One (1) day – Lewis Center, Ohio – Ohio Water Environment Association 2011 Plant Operations and Laboratory Analysis Specialty Workshop – Total expenses for registration (\$125.00) estimated not to exceed \$125.00.

Hannah Gonzalez: One (1) day – Lewis Center, Ohio – Ohio Water Environment Association 2011 Plant Operations and Laboratory Analysis Specialty Workshop – Total expenses for registration (\$125.00) estimated not to exceed \$125.00.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Wilson, Yes; Mr. Humphrey, Aye.

IN RE: PERSONNEL ACTION FORM...APPROVED

* THE OFFICIAL RECORD OF PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, RELATIVE TO PERSONNEL ACTIONS IS AVAILABLE FOR PUBLIC INSPECTION UPON REQUEST MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. TO 4:30 P.M. LOCAL TIME.

IN RE: MINUTES OF INFORMAL REGULAR SESSION...APPROVED

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation to approve the minutes of Informal Regular Session of **08/03/11**.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Wilson, Abstained.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 129-11/PAYMENT OF BILLS...ADOPTED

Moved by Mr. Humphrey, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation that the Board of County Commissioners adopt **Resolution Number 129-11** resolving to approve payment to vendors included on the BCC Approval Invoice Report For Checks dated **August 24, 2011** presented by the County Auditor **08/22/2011** as reflected on the Vendor Excerpt Report prepared by OMB, **in the amount of \$6,761.90** and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Proud Yea; Mr. Wilson, Abstained.

IN RE: EXECUTIVE SESSION...APPROVED

Moved by Mr. Wilson, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation to go into Executive Session at 10:41 A.M. pursuant to Section 121.22(G)(1) and (G)(3) of the Ohio Revised Code to consider the promotion of a public employee and to

confer with the Prosecuting Attorney regarding pending litigation, respectively.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Wilson, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

LET THE RECORD SHOW: THE EXECUTIVE SESSION CONCLUDED AND REGULAR SESSION RESUMED AT 11:37 A.M. WITH NO ACTION TAKEN.

LET THE RECORD SHOW: THAT THE PRESIDENT OF THE BOARD OF COUNTY COMMISSIONERS RECESSED REGULAR SESSION AT 11:38 A.M. TO BE RECONVENED AT 1:00 P.M. THIS DATE.

LET THE RECORD SHOW: THE BOARD RECONVENED REGULAR SESSION AT 1:03 P.M.

IN RE: BOARD OF COUNTY COMMISSIONERS...AUTHORIZATION FOR THE CLERMONT COUNTY PROSECUTING ATTORNEY'S OFFICE, CIVIL DIVISION, TO SETTLE CASE NUMBER 2010-CVD-2169, DAVID W. YOUNT VS. CLERMONT COUNTY COMMISSIONERS, ET AL. WORKER'S COMPENSATION CLAIM...11-0823-001...RATIFIED

Moved by Mr. Proud, seconded by Mr. Wilson, that the Board of County Commissioners approve the following recommendation:

Recommendation of David J. Frey and Mary Lynne Birck, Assistant Prosecuting Attorneys, with the concurrence of David L. Spinney, County Administrator, to authorize the Office of the Clermont County Prosecuting Attorney, Civil Division, to settle Case Number 2010-CVD-2169 David W. Yount vs. Clermont County Commissioners, et al., Ohio Attorney General Workers' Compensation Claim No. PEL100337 filed in the Court of Common Pleas, Clermont County, Ohio and to execute the Final Settlement Agreement and Release and Dismissal Entry.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Wilson, Yes; Mr. Humphrey, Aye.

IN RE: PERSONNEL ACTION FORM...APPROVED

* THE OFFICIAL RECORD OF PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, RELATIVE TO PERSONNEL ACTIONS IS AVAILABLE FOR PUBLIC INSPECTION UPON REQUEST MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. TO 4:30 P.M. LOCAL TIME.

IN RE: MINUTES OF REGULAR SESSION...APPROVED

Moved by Mr. Proud, seconded by Mr. Wilson, that the Board of County Commissioners approve the following recommendation:

Recommendation to approve the minutes of Regular Session of **08/23/11**.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Wilson, Yes; Mr. Humphrey, Aye.

IN RE: ADJOURNMENT...APPROVED

Moved by Mr. Wilson, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

That the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 1:05 P.M. until the next regularly scheduled session to be held at a later date.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Wilson, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

**BOARD OF COUNTY COMMISSIONERS
CLERMONT COUNTY, OHIO**

**EDWIN H. HUMPHREY, PRESIDENT
ROBERT L. PROUD, VICE PRESIDENT
ARCHIE WILSON, MEMBER**

JUDITH KOCICA, CLERK OF THE BOARD

DATE APPROVED – 08/23/11